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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/591,547	07/06/2007	Ruth Iaconi-Forrer	SYNT-0271	4838
	7590 11/24/200 WASHBURN LLP	9	EXAMINER	
	E, 12TH FLOOR		GEHMAN, BRYON P	
2929 ARCH STREET PHILADELPHIA, PA 19104-2891			ART UNIT	PAPER NUMBER
			3728	
			MAIL DATE	DELIVERY MODE
			11/24/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

		Application No.	Applicant(s)			
Office Action Summary		10/591,547	IACONI-FORRER ET AL.			
		Examiner	Art Unit			
		Bryon P. Gehman	3728			
	The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply					
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).						
Status						
1)☑	Responsive to communication(s) filed on 28 Au	iaust 2000				
′	This action is FINAL . 2b) ☐ This action is non-final.					
<i>,</i> —	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is					
<i>ا</i> ل	closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.					
	closed in accordance with the practice under Ex pane Quayle, 1935 C.D. 11, 455 O.G. 215.					
Dispositi	on of Claims					
4)🛛	Claim(s) 35-37 and 39-52 is/are pending in the	application.				
	4a) Of the above claim(s) is/are withdrawn from consideration.					
5)□	5) Claim(s) is/are allowed.					
·	6)⊠ Claim(s) <u>35-37 and 39-52</u> is/are rejected.					
	Claim(s) is/are objected to.					
	Claim(s) are subject to restriction and/or	election requirement.				
Applicati	on Papers					
9) The specification is objected to by the Examiner.						
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
			• •			
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).						
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.						
Priority u	ınder 35 U.S.C. § 119					
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 						
2) D Notic 3) D Inforr	t(s) e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PTO-948) nation Disclosure Statement(s) (PTO/SB/08) r No(s)/Mail Date	4) Interview Summary Paper No(s)/Mail Da 5) Notice of Informal P 6) Other:	ite			

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1. The applicants' refer to drawings submitted on August 28, 2009. However, no

drawings are part of the last response.

2. It is now clear that there has been no submission of separate formal drawings of

record in this application. It is required that drawings be furnished in response to this

action, and failure to do so will be held non-compliant.

3. In view of the papers filed July 6, 2007, it has been found that this nonprovisional

application, as filed, through error and without deceptive intent, improperly set forth the

inventorship, and accordingly, this application has been corrected in compliance with 37

CFR 1.48(a). The inventorship of this application has been changed by adding Karina

Candrian as one of the inventors.

The application has been corrected by the Office of Initial Patent Examination

(OIPE) for the Office records to reflect the inventorship as corrected.

4. Claim 46 is objected to because of the following informalities: In line 7.

respectively should be followed by a comma. Appropriate correction is required.

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 35-37 and 39-52 are finally rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the

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subject matter which applicant regards as the invention. In claim 35, line 3, "the surgical

instrument" lacks antecedent basis and is indefinite in its relationship to the previously

defined "surgical component". See also lines 6 (twice) and 10.

In claim 46, line 5, the holes are not collectively "configured to receive a (single) surgical component" as recited.

- 7. Applicant's arguments, filed August 28, 2009 have been fully considered and are persuasive. The art grounds of rejection have been withdrawn. However, formal drawings are not found as have been required. Also, several 112 problems remain.

 Submission of formal drawings and correction of the 112 indefiniteness is still required.
- 8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bryon P. Gehman whose telephone number is (571) 272-4555. The examiner can normally be reached on Tuesday through Thursday from 7:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mickey Yu, can be reached on (571) 272-4562. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Bryon P. Gehman/ Primary Examiner, Art Unit 3728 Bryon P. Gehman Primary Examiner Art Unit 3728 Page 5

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